

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Criminal Action
v.)	No. 13-03103-02
)	
SEAN BOND,)	
)	
Defendant.)	

MOTION FOR CONTINUANCE

Comes now Defendant, Sean Bond, by and through her attorney, Brian D. Risley, and for his Motion for Continuance, pursuant to 18 U.S.C. 3161(h)(8)(A) and (B), respectfully requests this Honorable Court continue the trial now set in this cause for August 2014 to the November or December, Joint Criminal Trial Docket. In support of said Motion, Counsel for Defendant submits the following:

1. Counsel for Defendant was appointed to represent Mr. Bond in August of 2013. The matter is currently set for trial on August 18, 2014.
2. Counsel for Defendant is currently scheduled for trial in the case of U.S. v. Eric Cazares, a multi-count and multi-defendant case that is currently set at the same time, and was announced at an attorney conference on July 11, 2014, would be a case that would go to trial (it had previously been specially set for July but was moved back one month to August). It was announced by the US Attorney's office that the trial would likely take the full two weeks if not longer. Currently 8 defendants are set to go to trial and it is expected as many as 5 or 6 will actually go to trial, including this counsel's client.
3. Counsel for Defendant cannot therefore try this case at the same time as that case is being tried.
4. Counsel for Defendant would also advise the Court he represents another defendant, Caesar Avila-Hernandez, whose case was specially set for the September trial docket back in February. This counsel has had numerous

conversations with that client/defendant, and has every expectation that trial will go in September, thus the request in this case not to be set in September.

5. This continuance is not sought for the purpose of dilatory delay, but is sought in truth and fact so that Defendant may be afforded due process of law under the Fifth Amendment to the United States Constitution.
6. This Defendant has not previously requested a continuance in this case.
7. In accordance with 18 U.S.C. 3161(h)(8)(A) and (B)(iv), it is submitted that a continuance outweighs the best interests of the public and Defendant to a speedy trial, which is required by 18 U.S.C. 3161(c)(1).
8. Under the provisions of 18 U.S.C. 3161(h)(8)(A), the period of time until the requested criminal docket setting should be excluded in computing the period of time in which Defendant should be brought to trial under the Speedy Trial Act.
9. Counsel for Defendant would also request a continuance of the time to file any pre-trial motions.
10. Defendant has obtained Mr. Bond's signature on a Waiver of Speedy Trial form that will be filed concurrently with this motion to continue.

WHEREFORE, Defendant respectfully requests this Court, pursuant to 18 U.S.C. 3161(h)(8)(A) and (B), to remove this case from its scheduled trial setting of August 18, 2014, and to continue this case to the November or December 2014, trial docket, or such other date as the Court deems just and proper, and continue the time to file any pre-trial motions in the above matter.

Respectfully submitted,

/s/ Brian D. Risley

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ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on July 20, 2014, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the United States Attorney in this case, Randall Eggert. I hereby certify that on July 20, 2014, the CM/ECF system listed no participants to be manually noticed.

/s/ Brian D. Risley

Brian D. Risley